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UNITED STATES DISTRICT COURT
 14
 NORTHERN DISTRICT OF CALIFORNIA

15 IN RE TFT-LCD (FLAT PANEL)
 16 ANTITRUST LITIGATION

Master File No. 3:07-MD-1827 SI
 MDL No. 1827

17 This Document Relates to Individual Case No.
 18 3:10-CV-4572-SI:

Case No. 3:10-CV-4572 SI

19 BEST BUY CO., INC.; BEST BUY
 PURCHASING LLC; BEST BUY
 20 ENTERPRISE SERVICES, INC.; BEST BUY
 STORES, L.P.; BESTBUY.COM, L.L.C.; and
 MAGNOLIA HI-FI, INC.,

The Honorable Susan Y. Illston
STIPULATION AND [PROPOSED] ORDER REGARDING THIRD PARTY DISCOVERY OF TOSHIBA AMERICA INFORMATION SYSTEMS, INC. AND THEIR EMPLOYEES AND FACT DISCOVERY CUT-OFF

21 Plaintiffs,

22 v.

23 AU OPTRONICS CORP.; AU OPTRONICS
 CORPORATION AMERICA; CHI MEI
 24 CORP.; CHI MEI OPTOELECTRONICS
 CORP. (N.K.A. CHIMEI INNOLUX
 CORPORATION); CHI MEI
 OPTOELECTRONICS, USA, INC.;
 25 CHUNGHWA PICTURE TUBES, LTD.;

26 Case No. 3:10-CV-4572 SI
 Master Case No. 3:07-MD-1827 SI
 27 82685209.1

28 STIPULATION TO EXTEND
 DISCOVERY DEADLINES

1 CMO JAPAN CO., LTD.; EPSON
 2 ELECTRONICS AMERICA, INC.; EPSON
 3 IMAGING DEVICES CORPORATION;
 4 HANNSTAR DISPLAY CORP; HITACHI
 5 DISPLAYS, LTD.; HITACHI ELECTRONIC
 6 DEVICES (USA), INC.; HITACHI, LTD.; LG
 7 DISPLAY CO., LTD.; LG DISPLAY
 8 AMERICA, INC.; NEXGEN MEDIATECH
 9 USA, INC.; NEXGEN MEDIATECH, INC.;
 SHARP CORP.; SHARP ELECTRONICS
 CORP.; TATUNG COMPANY OF
 AMERICA, INC.,

7 Defendants.

10 Plaintiffs BEST BUY CO., INC.; BEST BUY PURCHASING LLC; BEST BUY
 11 ENTERPRISE SERVICES, INC.; BEST BUY STORES, L.P.; BESTBUY.COM, L.L.C.; and
 12 MAGNOLIA HI-FI, INC., (“Best Buy”) and Third Party TOSHIBA AMERICA
 13 INFORMATION SYSTEMS, INC. (“TAIS”) collectively referred to as the “Parties” by and
 14 through their respective undersigned counsel, hereby stipulate and agree as follows:

15 WHEREAS the fact discovery cut-off in the Direct Action Plaintiffs’ track one cases is
 16 December 8, 2011;

17 WHEREAS on November 29, 2011, Best Buy notified counsel for TAIS of its intent to
 18 seek the production of documents from TAIS and to serve subpoenas for the production of
 19 documents and for the depositions of TAIS employees Mark Simons, Terry Cronin, Kurt
 20 Skillman, and Dave Anderson, and former TAIS employee Howard McBride, and on December
 21 1, 2011, counsel for TAIS agreed to accept service of any subpoenas on their behalf;

22 WHEREAS on December 1, 2011, Best Buy indicated its intention to serve a third-party
 23 subpoena for the production of documents and for the deposition of TAIS employee Barry
 24 Schwartz, and counsel for TAIS agreed to accept service of any subpoena on his behalf;

25 WHEREAS on November 29, 2011, Best Buy notified counsel for TAIS of its intent to
 26 depose former TAIS employee Matt Weiss;

27 WHEREAS Best Buy requested confirmation from counsel for TAIS regarding whether
 28 they would accept service on behalf of former TAIS employee Mr. Weiss;

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1 WHEREAS counsel for TAIS on December 5, 2011 indicated that they will accept service
2 on behalf of Mr. Weiss, and Best Buy served a subpoena for the production of documents from
3 and deposition of Matt Weiss on counsel for TAIS on December 6, 2011;

4 WHEREAS counsel for Best Buy has informed counsel for TAIS that the need only
5 recently arose for the depositions of the TAIS employees Mark Simons, Terry Cronin, Kurt
6 Skillman, Dave Anderson, and Barry Schwartz and of former TAIS employees Howard McBride
7 and Matt Weiss based documents produced in the above-captioned litigation;

8 WHEREAS the Parties are working together to reach an agreement regarding the timing
9 and scope of the aforementioned depositions;

10 THEREFORE, Best Buy, by its counsel, and TAIS, by its counsel, stipulate and agree as
11 follows:

- 12 1. The fact discovery cut-off date of December 8, 2011 set forth in the Order
13 Modifying Pretrial Schedule for "Track One" Direct Action Plaintiff and State
14 Attorney General Cases (MDL Dkt. No. 3110) is extended up to and including
15 January 31, 2012, solely as to the potential depositions of TAIS employees Mark
16 Simons, Terry Cronin, Kurt Skillman, , Dave Anderson, and Barry Schwartz and
17 of former TAIS employees Howard McBride and Matt Weiss and for the
18 production of documents pursuant to the subpoenas served on TAIS and TAIS
19 employees Mark Simons, Terry Cronin, Kurt Skillman, Dave Anderson, and Barry
20 Schwartz and on former TAIS employees Howard McBride and Matt Weiss.
- 21 2. This Stipulation does not constitute an agreement by the parties as to any the
22 necessity of any individual deposition. The parties reserve all rights to pursue or
23 object to the depositions on the merits.

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1 IT IS SO STIPULATED.
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3

4 DATED: December 8, 2011

5 ROBINS, KAPLAN, MILLER & CIRESI L.L.P.
6

7 By: /s/ David Martinez
8 Roman M. Silberfeld
9 David Martinez
10 Lauren E. Wood
11 Attorneys For Plaintiffs

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17 BEST BUY CO., INC.; BEST BUY
18 PURCHASING LLC; BEST BUY ENTERPRISE
19 SERVICES, INC.; BEST BUY STORES, L.P.;
20 BESTBUY.COM, L.L.C. and MAGNOLIA HI-
21 FI, INC.

22 DATED: December 8, 2011

23 WHITE & CASE L.L.P.

24 By: /s/ Kristen J. McAhren
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26 Kristen J. McAhren
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29 Attorneys for Third Party
30 TOSHIBA AMERICA INFORMATION
31 SYSTEMS INC.

32 ATTESTATION: Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the
33 filing of this document has been obtained from stipulating third parties.

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1 IT IS SO ORDERED.
2
3 Dated: 12/12, 2011
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6 Hon. Susan Illston, United States District Judge
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